IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

Bail Appl..No. 2379 of 2007(B)

PETITIONER/ACCUSED:

MOHAMMED @ BAVA, AGED 55 YEARS,
S/O.MOIDEENKUTTY HAJI, KUNNATHEDATH HOUSE,
CHILAVIL ATHRISSERI P.O., TIRUR.

BY ADV. SRI.P.SAMSUDIN.

RESPONDENT/COMPLAINANT:

THE STATE OF KERALA, REPRESENTED
BY THE SUB INSPECTOR OF POLICE,
KALPAKANCHERI THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT. K. MEERA.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/05/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2379 OF 2007

Dated this the 2nd day of May, 2007

O R D E R

Petitioner, who is the accused in Crime No.126/07 of Kalpakancheri Police Station for an offence punishable under Sec.307 I.P.C., seeks anticipatory bail. The occurrence took place on 9.4.07.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 9-05-2007 and 11-05-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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